


EXHIBIT E

CLAIM 19 (ISSUED CLAIM 8)

19. An apparatus for storing video data as full size image and reduced size image of pixel data comprising:	19. (amended) An apparatus for storing video <u>pixel</u> data as <u>at least one</u> full size image <u>at a first resolution</u> , and <u>at least one</u> reduced size image <u>thereof</u> at a <u>second lower resolution</u> , <u>[of pixel data]</u> comprising:
random access memory means for storing video pixel data presented at an input port and having at least one output port;	random access memory means <u>having an input port and an output port</u> , for storing <u>the</u> video pixel data presented at <u>the [an] input port [and having at least one output port]</u> ;
means for storing video pixel data representing a full size video image at a first resolution in a first group of memory locations in said random access memory means;	<u>[means for storing] said</u> video pixel data representing <u>the [a]</u> full size video image at a first resolution <u>being stored</u> in a first group of memory locations in said random access memory means;
bulk storage memory for storing video pixel data and for presenting selected blocks of video data at said input port for storage by said random access memory;	bulk storage memory for <u>also storing the</u> video pixel data and for presenting selected <u>groups [blocks]</u> of video data at said input port for storage by said random access memory <u>means</u> ;
size reducing means coupled to said random access memory means for accessing said image video pixel data stored in said random access memory representing said full size image at said first resolution, and for reducing said image to a reduced size counterpart image at a second, lower resolution and for storing said reduced size image at said second resolution in said random access memory in a second group of storage locations therein; and	size reducing means <u>responsive [coupled]</u> to said random access memory means for <u>receiving [accessing]</u> said <u>[image]</u> video pixel data stored in said random access memory <u>means</u> representing said full size image at said first resolution, and for reducing said image to <u>the [a]</u> reduced size <u>[counterpart]</u> image at <u>the [a] second[,] lower resolution</u> , and for <u>supplying [storing]</u> said reduced size image at said second resolution <u>to [in]</u> said random access memory <u>means</u> in a second group of <u>memory [storage]</u> locations therein; <u>[and]</u>
control means coupled to said random access memory means, said bulk storage means and to said size reducing means for causing said size reducing means to generate said reduced size image at said second resolution and to store same in said random access memory means in said second group of storage locations each time the video pixel data from said random access memory means is to be transferred to said bulk storage means for storage, and for causing [REDACTED]	control means coupled to said random access memory means, <u>to</u> said bulk storage <u>memory [means]</u> and to said size reducing means, for causing said size reducing means to generate said reduced size image at said second resolution and to <u>supply [store]</u> same <u>to [in]</u> said random access memory means in said second group of <u>memory [storage]</u> locations; <u>and</u> <u>said control means further causing the transfer of [each time] the full size and reduced size video pixel data from said random access memory means [is to be transferred] to said</u>

 after said reduced size image is generated and stored in said second group of storage locations, and for causing selective transfer of video pixel data from said bulk storage means into said random access memory means for storage such that either said first resolution image or only the reduced size second resolution counterpart are transferred into said random access memory means.

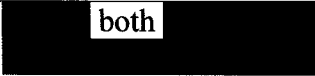
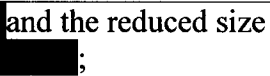

bulk storage memory [means] for storage, [and for causing the video pixel data from both said first and second plurality of memory locations in said random access memory means to be transferred to said bulk storage means for storage after said reduced size image is generated and stored in said second group of storage locations,] and for causing the selective transfer [of video pixel data] from said bulk storage memory [means] into said random access memory means of [for storage such that] either said full size image at said first resolution [image] or said [only the] reduced size image at said second lower resolution [counterpart are transferred into said random access memory means].

CLAIM 23 (ISSUED CLAIM 10)

23. A system for storing and retrieving video data representing video images which are displayed as rasters of vertically distributed horizontal lines, each represented video image normally occupying a raster of selected vertical and horizontal size, the system comprising:	23. (amended) A system for storing [and retrieving] video data representing video images which are <u>displayable</u> [displayed] as rasters of vertically distributed horizontal lines, each represented video image normally occupying a raster of selected vertical and horizontal size, the system comprising:
a video image size reducer having an input coupled to receive video data representing a video image corresponding to a selected raster size and generate therefrom at an output video data representing a reproduction of said video image corresponding to a selected fractional-size of said selected raster size;	a video image size reducer having an input <u>for receiving</u> [coupled to receive] video data representing a video image corresponding to <u>the</u> [a] selected raster size and <u>for generating</u> [generate therefrom at an output] video data representing a reproduction of said video image <u>at</u> [corresponding to] a selected fractional-size of said selected raster size;
a first store having an input for receiving video data for storage and an output for providing video data retrieved from storage, said first store having a capacity for storing video data representing a video image corresponding to of the selected raster size together with video data representing a reproduction of a video image corresponding to the selected fractional-size of said selected raster size;	a first store [having an input] for receiving video data for storage and [an output] for providing video data <u>therefrom</u> [retrieved from storage], said first store having a capacity for storing <u>the</u> video data representing a video image corresponding to [of] the selected raster size together with video data representing <u>said</u> [a] reproduction of a video image <u>at</u> [corresponding to] the selected fractional-size [of said selected raster size];
a second store having an input for receiving video data for storage and an output for providing video data retrieved from storage, said second store having a capacity for storing video data representing a plurality of video images each corresponding to a video frame of the selected raster size and video data representing the reproduction of each video image of selected fractional size of said selected raster size; and	a second store [having an input] for receiving <u>and storing both the</u> video data <u>from the first store</u> [for storage] and [an output] for providing video data <u>therefrom</u> [retrieved from storage], said second store having a capacity for storing video data representing a plurality of video images each corresponding to [a video frame of] the selected raster size, and video data representing <u>a plurality of the reproductions</u> [reproduction] of each video image <u>at the</u> [of] selected fractional-size of said selected raster size; and
means for selectively  either  representing a video image corresponding to the selected raster size or said video data representing a reproduction of a video image which is the selected fractional	means for selectively transferring from said <u>second</u> [first] store to said <u>first</u> [second] store either said video data representing <u>one of the plurality of</u> [a] video <u>images</u> [image] corresponding to the selected raster size, or said video data representing <u>the plurality of</u>

size of said selected raster size.	<u>reproductions</u> [a reproduction] of <u>each</u> [a] video image <u>at</u> [which is] the selected fractional-size of said selected raster size.
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CLAIM 27 (ISSUED CLAIM 11)

27. A method of storing video pixel data comprising:	27. (amended) A method of storing video pixel data comprising:
receiving and storing in random access memory video pixel data comprising a full size image;	receiving and storing <u>in selected storage locations in a random access memory, full</u> video pixel data comprising a full size image;
generating therefrom video pixel data representing a reproduction thereof in the form of a reduced size image at a lower resolution from the full size image data and storing the pixel data representing the reduced size image so generated in additional storage locations in said random access memory along with the full size image;	generating <u>from the full video pixel data, reduced [therefrom]</u> video pixel data representing a reproduction thereof in the form of a reduced size image at a lower resolution; <u>[from the full size image data and]</u> storing the <u>reduced video pixel data</u> representing the reduced size image [so generated] in additional storage locations in said random access memory along with the full <u>video pixel data [size image]</u> ;
 both  and the reduced size  ;	storing both the full size <u>image</u> and the reduced size image in bulk storage memory; <u>and</u>
selectively transferring either the full size image or the reduced size image from said bulk storage memory means into said random access memory means for further processing.	selectively transferring either the full size image or the reduced size image from said bulk storage memory [means] into said random access memory [means] for further processing.

CLAIM 28 (ISSUED CLAIM 12)

28. A video still store system comprising:	28. (amended) A video still store system comprising:
	<u>an external source for supplying a plurality of full size image data sets representative of corresponding full size images;</u>
an image store for storing full size image data sets representing a plurality of full size images and for storing a plurality of reduced size image data sets representing plurality of reduced size images, each of said reduced size image data sets corresponding to one of the full size image data sets;	an image store for storing <u>said</u> full size image data sets [representing a plurality of full size images], and for storing a <u>like</u> plurality of reduced size image data sets representing a plurality of reduced size images, each of said reduced size image data sets corresponding to one of the full size image data sets;
an external source input for receiving from an external source full size image data sets;	[an external source input for receiving from an external source full size image data sets;]
a memory for simultaneous storage of one of said full size image data sets and the corresponding one of said reduced size image data sets;	a memory for simultaneous storage of one of said full size image data sets and <u>a</u> [the] corresponding one of said reduced size image data sets;
a size reducer means for receiving from said memory the stored one of said full size image data sets, and for producing and returning to said memory the corresponding reduced size image data set;	a size reducer means for receiving from said memory the stored one of said full size image data sets, and for producing and returning to said memory the corresponding <u>one of said</u> reduced size image data <u>sets</u> [set];
said memory being coupled and operative to selectively [REDACTED] either [REDACTED] input or the image store and to store [REDACTED], and to output as an output image the stored one of said full size image data sets, and to communicate to the size reducer the stored one of said full size image data sets, and to receive from the size reducer and to store the corresponding reduced size image data set, [REDACTED] both [REDACTED] and the corresponding reduced size image data set, and to receive from the image store and to store at different selected locations selected ones of said plurality of reduced size image data sets, and to output as said output image the stored selected ones such that the selected ones are disposed at different locations within the output image or to receive and store from	said memory being <u>responsive</u> [coupled and operative] to [selectively receive from] either the external source [input] or the image store <u>for storing</u> [and to store] said one of said full size image data sets, [and to output as an output image the stored one of said full size image data sets, and to communicate to the size reducer the stored one of said full size image data sets, and to receive from the size reducer and to store the corresponding reduced size image data set,] and <u>for supplying</u> [to provide] to the image store both the stored one of said full size image data sets and the corresponding <u>one of said</u> reduced size image data <u>sets</u> ; [set,] <u>said memory being responsive to</u> [and to receive from] the image store [and] to store at different selected locations <u>the</u> [selected ones of said] plurality of reduced size image data sets; [, and]

EXHIBIT F

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By providing an explanation as to the action taken, the examiner will enhance the clarity of the prosecution history record. As noted by the Supreme Court in *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. 722, 122 S.Ct. 1831, 1838, 62 USPQ2d 1705, 1710 (2002), a clear and complete prosecution file record is important in that “[p]rosecution history estoppel requires that the claims of a patent be interpreted in light of the proceedings in the PTO during the application process.” In *Festo*, the court held that “a narrowing amendment made to satisfy any requirement of the Patent Act may give rise to an estoppel.” With respect to amendments made to comply with the requirements of 35 U.S.C. 112, the court stated that “[i]f a § 112 amendment is truly cosmetic, then it would not narrow the patent’s scope or raise an estoppel. On the other hand, if a § 112 amendment is necessary and narrows the patent’s scope—even if only for the purpose of better description—estoppel may apply.” *Id.*, at 1840, 62 USPQ2d at 1712. The court further stated that “when the court is unable to determine the purpose underlying a narrowing amendment—and hence a rationale for limiting the estoppel to the surrender of particular equivalents—the court should presume that the patentee surrendered all subject matter between the broader and the narrower language...the patentee should bear the burden of showing that the amendment does not surrender the particular equivalent in question.” *Id.*, at 1842, 62 USPQ2d at 1713. Thus, whenever possible, the examiner should make the record clear by providing explicit reasoning for making or withdrawing any rejection related to 35 U.S.C. 112, second paragraph.

2173.03 Inconsistency Between Claim *>and< Specification Disclosure or Prior Art [R-1] [R-1]

Although the terms of a claim may appear to be definite, inconsistency with the specification disclosure or prior art teachings may make an otherwise definite claim take on an unreasonable degree of uncertainty. In *re Cohn*, 438 F.2d 989, 169 USPQ 95 (CCPA 1971); In *re Hammack*, 427 F.2d 1378, 166 USPQ 204 (CCPA 1970). In *Cohn*, the claim was directed to a process of treating a surface with a corroding solution until the metallic appearance is supplanted by an “opaque” appearance. Noting that no claim may be read apart from and independent of the

supporting disclosure on which it is based, the court found that the description, definitions and examples set forth in the specification relating to the appearance of the surface after treatment were inherently inconsistent and rendered the claim indefinite.

2173.04 Breadth Is Not Indefiniteness

Breadth of a claim is not to be equated with indefiniteness. In *re Miller*, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. 112, second paragraph.

Undue breadth of the claim may be addressed under different statutory provisions, depending on the reasons for concluding that the claim is too broad. If the claim is too broad because it does not set forth that which applicants regard as their invention as evidenced by statements outside of the application as filed, a rejection under 35 U.S.C. 112, second paragraph, would be appropriate. If the claim is too broad because it is not supported by the original description or by an enabling disclosure, a rejection under 35 U.S.C. 112, first paragraph, would be appropriate. If the claim is too broad because it reads on the prior art, a rejection under either 35 U.S.C. 102 or 103 would be appropriate.

2173.05 Specific Topics Related to Issues Under 35 U.S.C. 112, Second Paragraph [R-1]

The following sections are devoted to a discussion of specific topics where issues under 35 U.S.C. 112, second paragraph, have been addressed. These sections are not intended to be an exhaustive list of the issues that can arise under 35 U.S.C. 112, second paragraph, but are intended to provide guidance in areas that have been addressed with some frequency in recent examination practice. The court and Board decisions cited are representative. As with all appellate decisions, the results are largely dictated by the facts in each case. The use of the same language in a different context may justify a different result.

>See MPEP § 2181 for guidance in determining whether an applicant has complied with